

U.S. Department of the Interior
Bureau of Land Management

WildWorks Filming Permit

Categorical Exclusion Not Established By Statute

DECISION RECORD

DOI-BLM-UT-G020-2016-0028-CX

May 2016

Location:

T. 17 S., R. 11 E., Salt Lake Meridian, Emery County, Utah
Sections 21, 27, and 28

Applicant:

Alex Porpora
105 North 400 West
Salt Lake City, UT 84103

Price Field Office
125 South 600 West
Price, Utah 84501
Office: 435-636-3600
Fax: 435-636-3657

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INTRODUCTION

WildWorks films short videos for Wild Explores which is a YouTube series made in conjunction with National Geographic's Animal Jam. A ten year old girl named Cami is the host. WildWorks has expressed interest and submitted an application to film short videos at the Cleveland-Lloyd Dinosaur Quarry on BLM-administered lands.

PROPOSED ACTION

WildWorks is proposing to film three to four short videos at the Cleveland-Lloyd Dinosaur Quarry (CLDQ), which will be distributed via YouTube. These videos will utilize the museum, Butler buildings, interpretive trails, and other field sites at the CLDQ. All vehicles will remain on designated roads and parking areas at all times. All footage will be captured with one handheld and one tripod cameras, with no props or other techniques. There will be a total of two vehicles and six people for the cast and crew. They plan to utilize the CLDQ for three days on June 28-30. The videos will include the following topics: 1) Top 10 Dinosaur Facts, hosted by Cami a young Wild Explorer; 2) Interview with a Scientist, Cami interviews a researcher or quarry staff; 3) Scientist Selfie, researchers or quarry staff are invited to make a 1 to 2 minute video describing their work for the audience (7-12 year olds) to help promote interest and enthusiasm for Science, Technology, Engineering, and Math (STEM) careers and topics. On June 28, the crew from Animal Jam (2-4 adults) will arrive to set up, establish shots and collect B roll footage. On June 29, Cami and a chaperone will arrive for the day to film the main videos. On June 30, the crew will film any additional B roll footage, Scientist Selfies and depart.

Under the authority of Title V, Federal Land Policy and Management Act (FLPMA), as amended, the Bureau of Land Management (BLM) has the responsibility of responding to applications for Rights-of-Way (ROW) and to consider their approval in a manner that avoids or reduces impacts to sensitive resource values and prevents unnecessary or undue degradation of public lands. As stated under 43 Code of Federal Regulations (43 CFR) 2801.2 *"it is the BLMs objective to grant rights-of-ways to any qualified individual, business, or government entity and to direct and control the use of rights-of-way on public lands"*.

DECISION

After reviewing the facts and consulting with the BLM Price Field Office Interdisciplinary Team, it is my decision to implement the proposed action as outlined above and in the Categorical Exclusion documentation (DOI-BLM-UT-G020-2016-0028-CX).

RATIONALE

The proposed action has been determined to be in conformance with the terms and conditions of the PFO RMP as required by 43 CFR 1600. Management Decision (LAR-5) states: *"Permit commercial filming on a case-by-case basis subject to a NEPA process" (RMP, p. 116).*

The interdisciplinary team review determined that the proposed action would not conflict with other implementation decisions within the PFO RMP. The proposal is consistent with the following RMP lands and realty goals and objectives:

"Make public lands available through ROWs or leases for such purposes as transportation routes, utilities, transmission lines, and communication sites, in coordination with other resource goals"

"Make public lands available to meet the needs for smaller ROWs" (RMP, p. 115).

The action described above generally does not require the preparation of an environmental assessment (EA) or environmental impact statement (EIS), as it has been found to not individually or cumulatively have a significant effect on the human environment. The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9 (E) 19:

"Issuance of short-term (3 years or less) rights-of-way or land use authorizations... where the proposal includes rehabilitation to restore the land to its natural or original condition."

This CX is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed, and none of the extraordinary circumstances described in 43 CFR Part 46.215 applies.

PROTEST/APPEAL

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and the enclosed Form 1842-001. If an appeal is taken, your notice of appeal must be filed in the office of the Authorized Officer at 125 South 600 West, Price, Utah 84501, within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition (request) pursuant to regulation 43 CFR 2801.10 or 2881.10 for a stay (suspension) of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor

(see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied,
- (2) The likelihood of the appellant's success on the merits,
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.



Authorized Officer



Date



U.S. Department of the Interior
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Price, Utah 84501
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Fax: 435-636-3657

A. Background

BLM Office: Price Field Office

Lease/Serial/Case File No: UTU-91709

Proposed Action Title/Type: Filming Permit

Location of Proposed Action: See map on page 3

Cleveland-Lloyd Dinosaur Quarry

T. 17 S., R. 11 E., Salt Lake Meridian, Emery County, Utah

Section 21: SE¼, SE¼;

Section 27: NW¼, NW¼;

Section 28: NE¼, NE¼

Applicant Background

WildWorks films short videos for Wild Explores which is a YouTube series made in conjunction with National Geographic's Animal Jam. A ten year old girl named Cami is the host.

Description of Proposed Action:

WildWorks is proposing to film three to four short videos at the Cleveland-Lloyd Dinosaur Quarry (CLDQ), which will be distributed via YouTube. These videos will utilize the museum, Butler buildings, interpretive trails, and other field sites at the CLDQ. All vehicles will remain on designated roads and parking areas at all times. All footage will be captured with one handheld and one tripod cameras, with no props or other techniques. There will be a total of two vehicles and six people for the cast and crew. They plan to utilize the CLDQ for three days on June 28-30. The videos will include the following topics: 1) Top 10 Dinosaur Facts, hosted by Cami a young Wild Explorer; 2) Interview with a Scientist, Cami interviews a researcher or quarry staff; 3) Scientist Selfie, researchers or quarry staff are invited to make a 1 to 2 minute video describing their work for the audience (7-12 year olds) to help promote interest and enthusiasm for Science, Technology, Engineering, and Math (STEM) careers and topics. On June 28, the crew from Animal Jam (2-4 adults) will arrive to set up, establish shots and collect B roll footage. On June 29, Cami and a chaperone will arrive for the day to film the main videos. On June 30, the crew will film any additional B roll footage, Scientist Selfies and depart.

Under the authority of Title V, Federal Land Policy and Management Act (FLPMA), as amended, the Bureau of Land Management (BLM) has the responsibility of responding to applications for Rights-of-Way (ROW) and to consider their approval in a manner that avoids or reduces impacts to sensitive resource values and prevents unnecessary or undue degradation of public lands. As stated under 43 Code of Federal Regulations (43 CFR) 2801.2 *"it is the BLMs objective to grant rights-of-ways to any qualified individual, business, or government entity and to direct and control the use of rights-of-way on public lands"*.

B. Land Use Plan Conformance

Land Use Plan Name: Price Field Office Resource Management Plan (PFO RMP)

Date Approved/Amended: October 31, 2008

The proposed action has been determined to be in conformance with the terms and conditions of the PFO RMP as required by 43 CFR 1600. Management Decision (LAR-5) states: *"Permit commercial filming on a case-by-case basis subject to a NEPA process"* (RMP, p. 116).

The interdisciplinary team review determined that the proposed action would not conflict with other implementation decisions within the PFO RMP. The proposal is consistent with the following RMP lands and reality goals and objectives:

"Make public lands available through ROWs or leases for such purposes as transportation routes, utilities, transmission lines, and communication sites, in coordination with other resource goals"

"Make public lands available to meet the needs for smaller ROWs" (RMP, p. 115).

C. Compliance with NEPA

The action described above generally does not require the preparation of an environmental assessment (EA) or environmental impact statement (EIS), as it has been found to not individually or cumulatively have a significant effect on the human environment. The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9 (E) 19:

"Issuance of short-term (3 years or less) rights-of-way or land use authorizations... where the proposal includes rehabilitation to restore the land to its natural or original condition."

This CX is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed, and none of the extraordinary circumstances described in 43 CFR Part 46.215 applies.

Based on a review of the project described above and field office staff recommendations attached, I have determined that the project is in conformance with the land use plan and is categorically excluded from further environmental analysis.

D: Signature

Authorizing Official: _____



Amanda Harrington
Assistant Field Manager

Date: _____

5/25/16

Contact Person

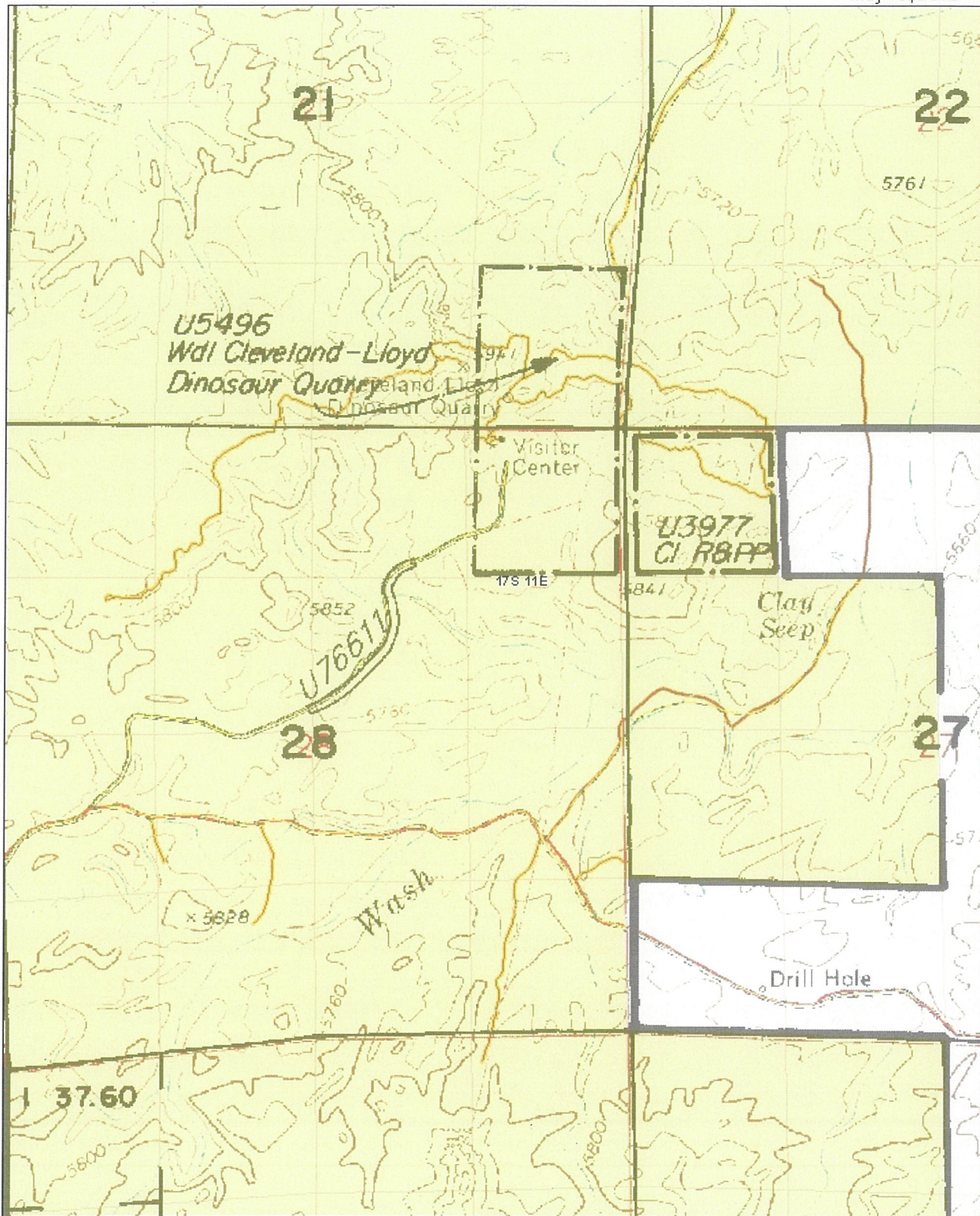
For additional information concerning this CX review, contact

Jaydon Mead, Realty Specialist
BLM Price Field Office
125 South 600 West
Price, UT 84501
Phone: (435) 636-3646
Fax: (435) 636-3657

WildWorks Filming at CLDQ CX

May 19, 2016

BLM



PRICE FIELD OFFICE



0 0.125 0.25 0.5 Miles



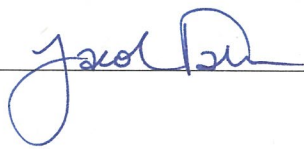
No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual use or aggregate use with other data. Original data were compiled from various sources. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated without notification.



WildWorks Filming at CLDQ
Categorical Exclusion Review Record

Resource	Yes/No*	Assigned Specialist Signature	Date
Air Quality	No	Jake Palma	5-23-16
Areas of Critical Environmental Concern	No	Joshua Winkler	5-23-16
Cultural Resources	No	Amber Koski	5-23-16
Environmental Justice	No	Jake Palma	5-23-16
Farm Lands (prime or unique)	No	Jeffrey Brower	5-23-16
Floodplains	No	Jeffrey Brower	5-23-16
Invasive Species/Noxious Weeds	No	Stephanie Bauer	5-23-16
Migratory Birds	No	Jared Reese	5-23-16
Native American Religious Concerns	No	Amber Koski	5-23-16
Threatened, Endangered, or Candidate Species	No – Animals	Jared Reese	5-23-16
	No – Plants	Karl Ivory	5-23-16
Wastes (hazardous or solid)	No	Jeffrey Brower	5-23-16
Water Quality (drinking or ground)	No	Jeffrey Brower	5-23-16
Wetlands / Riparian Zones	No	Karl Ivory	5-23-16
Wild and Scenic Rivers	No	Matt Blocker	5-23-16
Wilderness	No	Matt Blocker	5-23-16
Other: Visuals VRM II, mitigation measures	No	Josh Winkler	5-23-16

*Extraordinary Circumstances apply.

Environmental Coordinator:  Date: 5/25/16

**Extraordinary Circumstance to Categorical Exclusions
Exceptions to Categorical Exclusion Documentation**

The action has been reviewed to determine if any of the extraordinary circumstances (43 CFR 46.215) apply. The project would:

Extraordinary Circumstances		
1. Have significant negative impacts on public health or safety.		
Yes	No <div style="text-align: center;"><input checked="" type="checkbox"/></div>	Rationale: <i>Public health and/or safety would not be affected given the scope of the proposal. This should have no negative impacts on public safety while filming at Cleveland-Lloyd Dinosaur Quarry.</i>
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.		
Yes	No <div style="text-align: center;"><input checked="" type="checkbox"/></div>	Rationale: <i>No surface disturbance is proposed, the filming site would be at a location approved by the BLM. This action would not have a significant impact on ecologically significant or critical areas.</i>
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102 (2) (E)].		
Yes	No <div style="text-align: center;"><input checked="" type="checkbox"/></div>	Rationale: <i>The Interdisciplinary Team review did not identify any controversial environmental effects or unresolved conflicts concerning alternative uses of available resources.</i>
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		
Yes	No <div style="text-align: center;"><input checked="" type="checkbox"/></div>	Rationale: <i>The environmental effects of filming are well understood and are not controversial. There are no uncertain or potentially significant environmental effects or unique/unknown environmental risks anticipated with the filming proposal.</i>
5. Establish a precedent for future action or represent a decision in principal about future actions with potentially significant environmental effects.		
Yes	No <div style="text-align: center;"><input checked="" type="checkbox"/></div>	Rationale: <i>Issuing an authorization for a filming proposal would not set a precedent for future actions, and does not represent a decision, in principal, about future actions with potentially significant environmental effects.</i>
6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		
Yes	No <div style="text-align: center;"><input checked="" type="checkbox"/></div>	Rationale: <i>All filming would be conducted within the authorized limits of the right-of-way. Filming permits have been authorized in various locations throughout the Price field office to various proponents. Additional filming permits may be authorized in the future; however, this would not be individually or collectively significant. Therefore, there would be no additive or cumulatively significant environmental effects.</i>

Extraordinary Circumstances

7. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by the bureau.

Yes	No X	Rationale: <i>The Area of Potential Effect for the proposed WildWorks project meets the definition for a small routine undertaking under the Programmatic Agreement Between the ACHP, the BLM-Utah and the USHPO per 36CFR800.3(a)(1).</i>
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8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.

Yes	No X	Rationale: <i>There would be no negative effects to Threatened or Endangered Plants or Animals— Both GIS and a BLM file review indicates there are no known occurrences of any federally listed or candidate species in the project area. There is no designated critical habitat present as well. The project area is not located within mapped habitat (either PPH or PGH) for greater sage-grouse.</i>
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9. Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.

Yes	No X	Rationale: <i>Issuing a filming permit would not violate any Federal, State, local or tribal law or any requirement imposed for the protection of the environment.</i>
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10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).

Yes	No X	Rationale: <i>There are no low income or minority populations affected by this proposal. Authorization of the filming permit would not compromise health or environmental statutes.</i>
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11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).

Yes	No X	Rationale: <i>The action would not limit access to, or ceremonial use of sacred sites by Native American religious and traditional practitioners or significantly affect the physical integrity of such sites.</i>
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12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).

Yes	No X	Rationale: <i>Best Management Practices would be used to control the introduction and/or spread of noxious weeds. No vehicles will be driven off-road; the area to be filmed will be accessed by foot.</i>
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